



Council Report

To: The Honorable Mayor and City Council

From: Maxine Calloway, Community Planning & Development Director

Date: May 28, 2013

RE: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE PROPOSED UPDATED COMMUNITY PLANNING & DEVELOPMENT COST RECOVERY SCHEDULE OF FEES, PURSUANT TO ARTICLE 3, SECTION 3-202 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

RECOMMENDATION

That the City Council adopts the proposed resolution updating the Community Planning & Development cost recovery schedule of fees, pursuant to Article 3, Section 3-202 of the City's Land Development Regulations (LDRs).

BACKGROUND

Per Article 3, Section 3-202 of the LDRs all applications for development approval must be submitted on official City forms and be accompanied by applicable fees and cost recovery amounts. As such, on May 26, 2009 the Mayor & Council adopted Resolution R-2009-83 establishing a fee schedule for projects requiring review by the Community Planning & Development Department. The schedule was subsequently amended and updated in November 2012, through Resolution R 2012-11. However new procedures and City regulations have since been implemented that are not reflected on the existing fee schedule. The proposed amendment includes an architectural cost recovery fee, unity of title and annexation review fee to ensure the fee schedule is commensurate with current development review processes and appropriately priced to cover potential costs incurred for the review of major projects that might require the assistance of outside consulting service.

CONCLUSION

In order to implement fiscally sound practices that are consistent with new City regulations and changing market demands, the City's fee schedule must be updated to keep pace with current needs. Staff is of the opinion that the proposed resolution is in keeping with the requirements of Section 3-202 of the City's Land Development Regulation and is beneficial to the City's fiscal health and general welfare. As such, City Administration is recommending approval of the proposed resolution to update the City's development review fee schedule.

Attachments

- 1) Resolution
- 2) Revised fee schedule

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE PROPOSED UPDATED COMMUNITY PLANNING & DEVELOPMENT COST RECOVERY SCHEDULE OF FEES, PURSUANT TO ARTICLE 3, SECTION 3-202 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

WHEREAS, on April 28, 2009, the Mayor and City Council of the City of North Miami ("City") adopted the Land Development Regulations ("LDRs") under Chapter 29 of the City's Code of Ordinances; and

WHEREAS, Article 3, Section 3-202 of the LDRs, provides that all applications for development approval must be submitted on official City forms and be accompanied by applicable fees and cost recovery amounts; and

WHEREAS, on May 26, 2009, the Mayor and City Council passed and adopted Resolution R-2009-83, establishing a fee schedule for projects requiring review by the City Community Planning & Development Department ("Fee Schedule"), in accordance with Article 3, Section 3-202 of the LDRs; and

WHEREAS, in order to implement fiscally sound practices that are consistent with new City regulations, rising costs and changing market demands, the City's Fee Schedule must be updated from time to time by Resolution of the Mayor and City Council; and

WHEREAS, City administration is recommending approval of the updated Fee Schedule, in substantially the attached form, in order to ensure such fees are consistent with current development review processes and appropriately priced to secure a positive revenue stream for the City; and

WHEREAS, the Mayor and City Council have determined that the proposed Fee Schedule is fair, reasonable, and essential for the continued provision of high quality services focusing on the public's health, safety and welfare.

NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:

Section 1. **Approval of Updated Schedule of Fees.** The Mayor and City Council of the City of North Miami, Florida, hereby approve the proposed updated Community Planning & Development Cost Recovery Schedule of Fees, pursuant to Article 3, Section 3-202 of the City of North Miami Code of Ordinances, Land Development Regulations, attached hereto as "Exhibit 1".

Section 2. **Effective Date.** This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by a _____ vote of the Mayor and City Council of the City of North Miami, Florida, this _____ day of May, 2013.

ANDRE D. PIERRE, ESQ.
MAYOR

ATTEST:

MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

REGINE M. MONESTIME
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: _____

Seconded by: _____

Vote:

Mayor Andre D. Pierre, Esq.	_____ (Yes)	_____ (No)
Vice Mayor Marie Erlande Steril	_____ (Yes)	_____ (No)
Councilperson Michael R. Blynn, Esq.	_____ (Yes)	_____ (No)
Councilperson Scott Galvin	_____ (Yes)	_____ (No)
Councilperson Jean R. Marcellus	_____ (Yes)	_____ (No)



Exhibit 1

CITY OF NORTH MIAMI
Community Planning & Development
Adopted Schedule of Fee

Application	Fee
Affordable Housing Needs Assessment	\$3,000 (Cost Recovery)
Abandonment of Right of Way/Easement/Alleyway	\$2750
Annexation (initiated by individual or group)	\$500 (plus \$1000 deposit for noticing and) Applicant also pays separate election fees.
Appraisal of City Rights of Way/Alleyway	\$600 Abutting Residential/\$1000 Abutting Non Residential
Campus Master Plan	\$1,050+\$7.00/100sq.ft
Campus Master Plan Amendment	\$500
Comprehensive Plan Determination Letter	\$100
Conditional Use Permit	\$1000
Conditional Use Permit Amendment	\$500
Conditional Use Permit Master Plan Development/ Non Residential	\$500 + 20 per acre
Conditional Use Permit Master Plan Development/ Residential	\$200 + \$1.00 per acre
Continuation of an Agenda Item	\$100
Development Agreement	\$3,838
Development of Regional Impact (DRI) Review	\$16,512
DRI – Notice of Proposed Change (NOPC)	\$6,400
Land Development Regulation – Text Amendment (Including Establishment of Use)	\$ 2,000
Land Use Plan Amendment – Comprehensive Plan Text Amendment	\$ 4,000
Land Use Plan Amendment – Map Amendment	<Small Scale \$2,600; >Large Scale \$4,000
Review of legal documents i.e. easement, deeds, agreements , dedications	\$61 per hour
Rezoning/LDR Zoning Map Amendment	\$ 2,400
Plat – Final Plat	\$400
Plat -Tentative Plat	\$400.00 (plus cost of recovery with deposit of \$280)
Plat -Waiver of Plat	\$400.00 (plus cost of recovery with deposit of \$280)
Public Hearing Only (Non DRC proposed items seeking Resolution adoption by City Council)	\$300
Publishing/ Noticing	\$1000 deposit*
*Note: In the event that the publication and notice charges exceed the amount of the deposit above, the applicant shall be responsible to pay the City the full cost of such charges.	
School Concurrency Review	\$50
Signs (Public Notice)	\$ 60 <u>120</u>
Transfer of NRO Units (TNRO) (Conditional Use)	\$1,000
Traffic Impact Analysis Review (cost recovery)	Cost of recovery with deposit of \$500 - \$8000
Architectural Consultant Review (cost recovery)	<u>Cost recovery with minimum deposit of \$500</u>
Unity of Title Review	\$ 200 <u>500</u>
Vested Rights Determination	\$1,750